

ESTANCIA MUNICIPAL SCHOOLS

P.O. Box 68

Estancia, NM 87016

NM

LEA 80

Mrs. Carolyn Allen-Renteria
Superintendent

(505) 384-2001

Fax: (505) 384-2015

APPEAL LETTER

June 28, 2009

FILED/ACCEPTED

Letter of Appeal
FCC, Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC: 02-6

JUL 17 2009

Federal Communications Commission
Office of the Secretary

TO WHOM IT MAY CONCERN:

I am writing to request an Appeal of the Start Date Adjustment for Funding Request Number 1625164, Form 471 Application Number 585776 for the Estancia Municipal School District for the funding year July 01, 2007 through June 30, 2008. I am asking for such request due to significant changes in personnel as well as a delay in the receipt of invoices from the service provider, INX. I am appealing the Form 486 Notification Letter, which indicates that the service start date was changed to April 22, 2008 (see the attached copy dated 09/03/2008). I am requesting that the service start date be adjusted to July 1, 2007.

During the months of April 2008 through October 31, 2008 the Estancia Schools experienced significant turnover in personnel. The three key people, knowledgeable and who previously worked with e-rate, left the district beginning April, 2008.

- Turnover included the Associate Superintendent in charge of Technology, Mr. David Atencio. Mr. Atencio received a Superintendent position in another district and left the Estancia Schools in late April of 2008.
- The Business Manager, Ms. Beth Chavez, left the district in May, 2008 and retired. I am the new Business Manager and was made aware that we had not submitted our Form 486 on August 11, 2008.
- I informed our Technology Coordinator, Mr. Jay Mash, about the late submittal. He submitted the form on August 21, 2008. Shortly after this, in October 2008, he resigned and is no longer with the district.

Having come into the district new with no knowledge of e-rate nor the activities previously committed to, has been a severe handicap to the district. Because of my lack of knowledge and the loss of our technology department we are asking for your assistance. The current Superintendent was hired in March of 2007 and had delegated the e-rate funding to continue with the most knowledgeable and capable staff as they had been involved in erate funding for the past three (3) years.

Estancia Municipal Schools Board of Education

Jesse Sedillo – President, Randol Riley – Vice President, Jerry Sanchez Jr. – Secretary,

Kenneth Lujan, Matthew Gutierrez

“Good Schools Make Fine Communities Better”

In mid November, 2008, INX contacted me regarding the late submittal and informed me that their reimbursement had been significantly reduced. The service provider's previous attempts to contact the District regarding the reduced funding and the filing of an appeal were directed to Mr. Jay Mash. I am attaching for your review copies of the Invoices dated June 19, 2008 from INX in the amount of \$66,690.00. Universal Services Administration Cooperative made payment to INX in the amount of \$17,047.35 based on the Revised Funding Commitment Decision as stated on the Form 486 Notification Letter leaving an unpaid balance of \$40,306.05, which the District had to assume.

I am asking for your assistance in this matter as it created an extreme financial hardship to the district to assume \$40,306.05. Our previous attempt of Appeal with the USAC Schools and Libraries Division informed us that the FCC rules do not permit USAC to consider requests for waivers (see attached Appeal Letter dated December 3, 2008 and the USAC Administrator's Decision on Appeal dated December 22, 2008).

Contact information for the Estancia Municipal School District is as follows:

Estancia Municipal School District
PO Box 68
300 N. 9th St.
Estancia, NM 87016

Main District Line: (505) 384-2001 Fax Number: (505) 384- 2015

Carolyn Renteria, Superintendent
Carolyn.renteria@estancia.k12.nm.us or (505) 384-2011/direct line

Carol L. Gonzales, Business Manager
Carol.gonzales@estancia.k12.nm.us or (505) 384-2053/direct line

In advance, I thank you for your time and consideration of this matter. I would appreciate your consideration of the District's request to Appeal the Start Date Adjustment.

Respectfully submitted,



Carol L. Gonzales, Business Manager
Estancia Municipal Schools
Schools



Carolyn Allen-Renteria
Superintendent – Estancia Municipal

/clg

Attachments: As stated

Estancia Municipal Schools Board of Education

Jesse Sedillo – President, Randol Riley – Vice President, Jerry Sanchez Jr. – Secretary,

Kenneth Lujan, Matthew Gutierrez

"Good Schools Make Fine Communities Better"

FORM 486 NOTIFICATION LETTER
FUNDING COMMITMENT REPORT
(Funding Year 2007)

Service Provider Name: INX Inc.
Service Provider Identification Number: 143024659
Funding Request Number: 1625164
Form 471 Application Number: 585776
Form 470 Application Number: 136590000602874
Name of 471 Applicant: ESTANCIA MUNICIPAL SCHOOL DIST
Address of 471 Applicant: 300 NORTH 9TH STREET
Applicant City: ESTANCIA
Applicant State: NM
Applicant Zip: 87016-0068
Entity Number:
Name of Form 471 Contact Person: Jay Mash
Form 471 Preferred Mode of Contact: E-MAIL
Form 471 Contact Information: jay.mash@estancia.k12.nm.us
Name of Form 486 Contact Person: Jay Mash
Address of Form 486 Contact: 300 NORTH 9TH STREET, PO BOX 68
City of Form 486 Contact: ESTANCIA
State of Form 486 Contact: NM
Zip Code of Form 486 Contact: 87016-0068
Fax of Form 486 Contact: 505-384-2015
Telephone of Form 486 Contact: 505-384-2032
E-mail Address of Form 486 Contact: jay.mash@estancia.k12.nm.us
Funding Year: 07/01/2007 - 06/30/2008
Contract Number: N/A
Services Ordered: Basic Maintenance of Internal Connection
Billing Account Number: N/A
Service Start Date: 04/22/2008*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Contract Expiration Date: 06/30/2008
Total Program Year Pre-discount Amount: \$79,290.00
Applicant's Approved Discount Percentage: 86%
Funding Commitment Decision: \$17,047.35*



INX Inc.
PO Box 4346 Dept 523
Houston, TX 77210-4346
(469) 549-3800 Fax : (469) 549-3888

Invoice

Date 06/19/08 Number PSSWR66996-67150 Page 1

Bill To:
Estancia Municipal Schools
P.O. Box 68
300 N 9th
ESTANCIA, NM 87016

Sold To:
Estancia Municipal School
Jay Mash
300 North 9th
Central REceiving
ESTANCIA, NM 87016

Cust No EMS741 PO No 781263
Sales Rep GUL316 Proj No EMSD0006 Terms NET 30 DAYS

Estancia_Server and Networking svrs/ FRN# 1625164

| Work Description | Qty | Unit Price | Bill Amount |
|--|------|------------|-------------|
| Year 10 Server and Networking Maintenance Technician including travel. ERATE FRN: 1625164 SLD 86% Estancia 14% Service. 7/1/2007 - 1/31/2008 | 1.00 | 37,018.00 | \$37,018.00 |
| Year 10 Server and Networking Maintenance Technician including travel. ERATE FRN: 1625164 SLD 86% Estancia 14% Service. 2/1/2008 - 6/25/2008 | 1.00 | 29,672.00 | \$29,672.00 |

***** Invoice Payment History *****
Check # or Date Payment
Credit Memo
25423 07/01/08 5,182.52
25449 07/15/08 4,154.08
WT082708 08/27/08 17,047.35

Total Taxable \$0.00
Total Non-Taxable \$66,690.00

Thank you for your business!

T = Taxable Item

Sales Amount \$66,690.00
Sales Tax \$0.00
Total Invoice \$66,690.00

Invoice Amount for Estancia Municipal Schools 9,336.60
Invoice Amount for UNIVERSAL SERVICES ADMIN COOP 57,353.40

Current Balance \$40,306.05

ESTANCIA MUNICIPAL SCHOOLS

P.O. Box 68 / Estancia, NM 87016

NM

LEA 80

Mrs. Carolyn Allen-Renteria
Superintendent

(505) 384-2001
Fax: (505) 384-2015

APPEAL LETTER

Sent via Facsimile Transmittal

(973) 599-6542

December 3, 2008

Letter of Appeal
Schools & Libraries Division—Correspondence Unit
100 S. Jefferson Road
PO Box 902
Whippany, NJ 07981

To Whom It May Concern:

I am writing to request an ***Appeal of the Start Date Adjustment*** for Funding Request Number 1625164, Form 471 Application Number 585776 for the Estancia Municipal School District for the funding year July 01, 2007 through June 30, 2008. I am asking for such request primarily due to changes in personnel as well as a delay in the receipt of invoices from the service provider, INX. I am appealing the Form 486 Notification Letter, which indicates that the service start date was changed to April 22, 2008 (see the attached copy dated 09/03/2008).

During the months of April 2008 through October 31, 2008 the Estancia Schools experienced significant turnover in personnel. Turnover included the Associate Superintendent in charge of Technology, the Business Manager of the schools as well as the Technology Coordinator for the schools. I am the new Business Manager and was made aware that we had not submitted our Form 486 on August 11, 2008. I informed our Technology Coordinator, Mr. Jay Mash and he submitted the form mid August 2008. Shortly after this, he resigned and is no longer with the district. In mid November 2008, INX contacted me regarding the late submittal and to inform me that their reimbursement was significantly reduced. I am attaching for your review copies of the Invoices dated June 19, 2008 and June 27, 2008 from INX in the amounts of \$31,835.48 and \$25,517.92. Universal Services Administration Cooperative made payment to INX in the amount of \$17,047.35 based on the Revised Funding Commitment Decision as stated on the Form 486 Notification Letter, leaving an unpaid balance of \$40,306.05. I am asking for your assistance in this matter, as it creates an extreme hardship to the district. I am aware that we are past the 60-day window for filing an appeal; however, I request your assistance in waiving such rule, once again due to personnel changes in the Estancia School District.

Estancia Municipal Schools Board of Education:

Lacy Daniel – President, Randol Riley – Vice President, Jerry Sanchez Jr. – Secretary, Jesse Sedillo, Kenneth Lujan
"Good Schools Make Fine Communities Better"

Contact information for the Estancia Municipal School District is as follows:

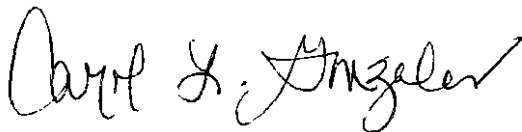
Carol L. Gonzales, Business Manager
Estancia Municipal Schools
PO Box 68
300 North 9th Street
Estancia, New Mexico 87016
(505) 384-2053/direct line
(505) 384-2001/main line
(505) 384-2015/fax number
carol.gonzales@estancia.k12.nm.us

or

Carolyn Renteria, Superintendent
Estancia Municipal Schools
PO Box 68
300 North 9th Street
Estancia, New Mexico 87016
(505) 384-2011/direct line
(505) 384-2001/main line
(505) 384-2015/fax number
carolyn.renteria@estancia.k12.nm.us

In advance, I thank you for your time and consideration of this matter. I would appreciate your consideration of the District's request to Appeal the Start Date Adjustment and secondly to waive the 60-day appeal rule.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carol L. Gonzales", with a stylized flourish at the end.

Carol L. Gonzales, Business Manager
Estancia Municipal Schools

/clg

Attachments: As stated



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2007-2008

December 22, 2008

Carol Gonzales
Estancia Municipal Schools
P. O. Box 68
300 North 9th Street
Estancia, NM 87016

Re: Applicant Name: ESTANCIA MUNICIPAL SCHOOL DIST
Billed Entity Number: 143236
Form 471 Application Number: 585776
Funding Request Number(s): 1625164
Your Correspondence Dated: December 03, 2008

The Universal Service Administrative Company (USAC) received your request for a waiver of the 60 day deadline to file appeals for Funding Year 2007 of the Schools and Libraries Universal Service Support Mechanism.

Federal Communications Commission (FCC) rules do not permit USAC to consider requests for waivers. If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC. You should refer to CC Docket No. 02-6 on the first page of your waiver request to the FCC. If you are submitting your waiver request via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing a waiver request with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

cc: Jay Mash